

S.B.Cr.Misc. II Bail App. No. 2268/2006
(Ashok Kumar Vs. State of Rajasthan)

Date of order : 01/06/2006

HON'BLE MR.H.R.PANWAR, J.

Mr. G.S.Rajpurohit, for the petitioner.

Mr. J.P.S.Choudhary, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the challan papers.

The first bail application came to be dismissed on 03.04.2006 as it was not pressed by the counsel for the petitioner at that stage.

Learned counsel for the petitioner submits that there is no grievous injury to the injured and the injuries are simple in nature. He further submits that the post of Presiding Officer of the Court where the trial is pending is vacant and the trial is not likely to proceed in near future.

Looking to the facts and circumstances of the case and the fact that the post of Presiding Officer of the Court where the trial is pending is vacant and the trial is not likely to proceed, having considered the oral arguments advanced by the counsel for the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this second bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Ashok Kumar S/o Bhanwarlal be released on bail in FIR No. 260/05 P.S. Phalodi, district Jodhpur, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs.

10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP